

SENATE BILL No. 252

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-3-1.4; IC 36-1-24.

Synopsis: Enforcement of federal immigration laws. Provides that a person lawfully domiciled within Indiana may file a complaint with the attorney general, if the person believes that a county, city, town, or township (unit) is violating the law regarding the unit's duties concerning citizenship and immigration status information and enforcement of the federal immigration laws. Provides that if the attorney general determines that the complaint is not false or frivolous: (1) the attorney general shall report this determination to the governor, auditor of state, and treasurer of state; and (2) the unit may not receive any state funds, grants, loans, or appropriations until the attorney general determines that the unit's violation has ceased.

Effective: July 1, 2016.

Waltz

January 7, 2016, read first time and referred to Committee on Public Policy.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 252

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-6-3-1.4 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2016]: **Sec. 1.4. The attorney general shall perform all duties**
- 4 **under IC 36-1-24 regarding a complaint concerning a unit's failure**
- 5 **to enforce immigration laws under IC 5-2-18.2.**
- 6 SECTION 2. IC 36-1-24 IS ADDED TO THE INDIANA CODE AS
- 7 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2016]:
- 9 **Chapter 24. Complaint Regarding Immigration Enforcement**
- 10 **Sec. 1. This chapter applies to an agency, a board, a branch, a**
- 11 **bureau, a commission, a council, a department, an institution, an**
- 12 **office, or another establishment of a unit's:**
- 13 **(1) executive branch;**
- 14 **(2) legislative branch; and**
- 15 **(3) judicial branch.**
- 16 **Sec. 2. This chapter does not apply to a school corporation.**
- 17 **Sec. 3. If a person lawfully domiciled in Indiana believes that a**



1 unit is in violation of IC 5-2-18.2, the person may file a complaint
2 regarding the violation with the attorney general. The attorney
3 general shall prescribe a form for making a complaint under this
4 chapter.

5 Sec. 4. (a) If the attorney general determines that the person's
6 complaint is not false or frivolous, the attorney general shall report
7 the violation in writing to the governor, the auditor of state, and
8 the treasurer of state.

9 (b) As of the date of the attorney general's report, the unit may
10 not receive any funds, grants, or loans from the state, including
11 appropriations from the general assembly, that the unit would
12 otherwise be eligible to receive. However, the state may not
13 withhold any funds, grants, loans, or appropriations from a unit
14 under this chapter that would result in impairing any contract or
15 agreement as prohibited in Article 1, Section 24 of the Constitution
16 of the State of Indiana.

17 Sec. 5. (a) If the attorney general determines that the reported
18 violation has ceased, the attorney general shall report the attorney
19 general's determination in writing to the governor, the auditor of
20 state, and the treasurer of state.

21 (b) As of the date of the attorney general's report, the unit is
22 eligible to receive any funds, grants, or loans from the state,
23 including appropriations from the general assembly that the unit
24 would otherwise be eligible to receive.

25 Sec. 6. The filing of a complaint and action taken by the attorney
26 general under this chapter does not preclude any other action to
27 enforce IC 5-2-18.2.

